IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

WP(C).No. 10886 of 2007(U)

PETITIONER:

SHYLA, KIZHAKKETHARAPPEL,
SANTHIPURAM, ARIVILANJAPOIL P.O.

BY ADV. SRI.V.C.JAMES
SRI.GEORGE MECHERIL

RESPONDENTS:

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1. THE KERALA STATE HOUSING BOARD,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
SECRETARY.

2. THE ASSISTANT SECRETARY,
KERALA STATE HOUSING BOARD,
DIVISIONAL OFFICE, KANNUR.

BY ADV. SRI.A.JAYASANKAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION FINALLY ON 04/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 10886 OF 2007

Dated this the 4th day of June, 2007

JUDGMENT

Heard counsel for the petitioner and standing counsel for Housing Board. Standing counsel submitted that pursuant to interim orders of this Court dated 29.3.2007 petitioner was granted OTS benefit by the Housing Board. OTS benefit now stands extended till 30.6.2007 is the information conveyed to Court by standing counsel. Even though counsel for the petitioner submitted that OTS amount itself is high, I do not think there is any scope for interference because OTS concessions granted by Housing Board are uniform and appear to be fairly reasonable. However, having regard to the extreme financial hardship expressed by the petitioner, and the payments already made and balance amount that will be payable under the OTS Scheme, which is substantial, I feel further two months time can be granted to the petitioner to settle liability from the last date fixed for payment under OTS scheme. Accordingly, W.P. is disposed of directing respondents giving time to the petitioner to settle the liability by remitting the OTS

amount in three equal monthly instalments without any future interest, first of which will be paid on or before 30.6.2007 and the balance on or before 31.7.2007 and 31.8.2007 respectively. However, if petitioner commits default in payment of any of the instalments, the instalment facility granted herein will stand vacated, and it will be open to the respondents to recover interest or even withdraw OTS benefit for non-compliance.

(C.N.RAMACHANDRAN NAIR)
Judge